IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2232 OF 2006

H.G.Pawar & 2 ors. Petitioners
vs.
Bombay Iron & Steel Board Respondents

Mr.M.S.Topkar for the petitioners.

Mrs.Lata Desai with Ms.Pallavi Divekar for respondent no.1.

Mr.U.A.Gangal, Sr.Counsel i/b.Mr.S.S.Deshmukh for the applicant in chamber summons no.291/2006.

CORAM : F.I.REBELLO &
ANOOP V. MOHTA,JJ.

DATED : 13th October, 2006

P.C.

Rule. Heard forthwith.

2. Petitioners are the Mukadams of Toli Nos.191A, 194, 235/254. By their application dated 25.4.2006, they have prayed that they be amalgamated to one Toli as presently there appears to be disparity in their earnings. This application has not been considered by the respondents' Board till date. A reply has been filed on behalf of the respondent-Board in this petition as also in another petition being Writ Petition (Lodging) No.2255/2006 wherein on behalf of the Board it is set out that there are cases where sufficient work is not available to the registered mathadi workers of

respondent-Board and in normal circumstances, it would be appropriate to induct the workers of Bombay Iron and Steel Labour Board such as Toli No.191A, 194 in Toli No.235, if at all such an exercise is to be undertaken.

3. The issue therefore is limited as to whether the claim of the three Tolis can be considered. They are all registered with the respondents presently and all that they are seeking is that the work presently been done by them at different Units be amalgamated so that there is no disparity in the earnings and there will be some uniformity.

4. On behalf of the Board, the learned counsel points out that the Government is seeking to issue some direction. We are not concerned with such direction as the statutory duty of the Board is first to look after those workers who are registered with it and to see that they get as far as possible full employment before they take any other steps.

5. In the light of that, the respondent-Board is directed to dispose of the petitioners applications within four weeks from today. If their request is accepted to constitute them as new Toli then to allot them work with the present registered employers with whom they are presently working.

6. With the above observation, rule made partly absolute. No costs.

(F.I. REBELLO, J.)

(ANOOP V. MOHTA,J.)